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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,148	09/21/2006	Johan Hendrik Antoon Gelissen	US040094	4979

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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TRAN, VINCENT HUY

ART UNIT	PAPER NUMBER
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2115

MAIL DATE	DELIVERY MODE
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01/23/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/599,148

Applicant(s)

GELISSEN, JOHAN HENDRIK  
ANTOON

Examiner

Vincent T. Tran

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 20-22 is/are rejected.
- 7) ☒ Claim(s) 18 and 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 9/21/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This Office Action is responsive to the communication filed on 9/21/2006
2. Claims 1-22 are pending for examination.
3. The text of those sections of Title 35, U.S. code not included in this action can be found in a prior Office action.

### ***Priority***

4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

### ***Information Disclosure Statement***

5. The information disclosure statement (IDS) submitted on 9/21/06 were considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 5, 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kallunki EP 0036793.
8. As per claim 1, Kallunki discloses a power saving management device comprising:

a controller [13, 22];

a light sensor [12, 23] in communication with said controller for providing status of whether or not light is sensed by the sensor; and

a power circuit module [14] in communication with the controller and with at least one of a predetermined non-essential circuitry [display driver 11] and a display [25],

wherein the controller signals said power circuitry module to power on said at least of a predetermined non-essential circuitry and the display when an amount of light sensed by the light sensor reaches a first predetermined threshold amount [col. 2 lines 20-23; claim 1].

9. As per claim 5, Kallunki discloses the controller signals said power circuitry module to power off the display if an amount of light being sensed by the sensor goes below the first predetermined threshold amount [paragraph 0021].

10. As per claim 20, Kallunki discloses a method of managing the saving of power in a device, comprising the steps of:

- (a) determining by a sensor [12] whether a light has exceeded a threshold level of brightness;
- (b) signaling by the sensor to a controller/microprocessor [13] that the light sensed in step (a) has exceeded a threshold;
- (c) signaling by the controller/microprocessor signals to power on/off [14] predetermined non-essential circuitry about the sensed light;

(d) requesting by the controller/microprocessor to power on/off circuitry to power on at least one of a display or the predetermined non-essential circuitry [11];

(e) determining whether the light sensed by the sensor by the sensor continues to exceed the threshold level of brightness [inherent];

(f) determining whether or not the device is still in use if the light sensed by the sensor in step (e) no longer exceeds the threshold level of brightness;

(g) powering off the display and/or the non-essential circuitry powered on in step (d) to save power if the detected light no longer exceeds the threshold level and it has been determined in step (f) that the device is not in use *[paragraph 21-22 – controller receives as input information the pressing of the key. The information about the pressing prevent the display unit from being switched off even when in dark place. Therefore, it is inherent that, when the device is not in use and the light sensed by sensor is no longer exceeds the threshold level, the controller operable to disconnect power to the display in order to conserve power]*

11. Claims 1, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Bauer U.S. Patent No. 6,801,794.

12. As per claim 1, Bauer discloses a power saving management device comprising:

a controller [6];

a light sensor [7] in communication with said controller for providing status of whether or not light is sensed by the sensor; and

a power circuit module [inherent] in communication with the controller and with at least one of a predetermined non-essential circuitry [backlight inherent for LCD] and a display [1],

wherein the controller signals said power circuitry module to power on said at least of a predetermined non-essential circuitry and the display when an amount of light sensed by the light sensor reaches a first predetermined threshold amount [col. 1 lines 35-44; col. 2 lines 20-23].

13. As per claim 6, Bauer discloses a tilt switch [8] arrange so that the controller signals the power circuitry module to power on when the device is oriented at an angle greater than zero degrees and less than ninety degrees.

14. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson et al. U.S. Patent No. 6,098,171 ("Johnson").

15. As per claim 1, Johnson discloses a power saving management device comprising:  
a controller [92];

a light sensor [90 - col. 9 line 60] in communication with said controller for providing status of whether or not light is sensed by the sensor; and

a power circuit module [inherent] in communication with the controller and with at least one of a predetermined non-essential circuitry [30, 31, 53] and a display [11],

wherein the controller signals said power circuitry module to power on said at least of a predetermined non-essential circuitry [inherent] and the display when an amount of light sensed by the light sensor reaches a first predetermined threshold amount [col. 9 lines 40-65].

16. As per claim 2, Johnson discloses the non-essential circuitry comprises one or more of predetermined non-essential circuitry comprising: non-essential storage or medium that require

either constant power or at least a periodic refreshing, including a diskette drive and a controller, a cd/dvd or other types of drives and respective controllers, expanded storage, cache storage, predetermined communication circuitry, output ports, a transmitter, and sound circuitry [see non-essential circuitry in fig. 3A-B].

17. Claims 1, 3-4, 9-11, 16, 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishihara U.S. Patent No. 6,426,736.

18. As per claim 1, Ishihara discloses a power saving management device comprising:

a controller [15];

a light sensor [22] in communication with said controller for providing status of whether or not light is sensed by the sensor; and

a power circuit module in communication with the controller and with at least one of a predetermined non-essential circuitry [20] and a display [13],

wherein the controller signals said power circuitry module to power on said at least of a predetermined non-essential circuitry and the display when an amount of light sensed by the light sensor reaches a first predetermined threshold amount [col. 5 lines 35-45].

19. As per claim 3, Ishihara discloses the non-essential circuitry comprise a backlight, and the controller signals said power circuitry module to power on said backlight when an amount of light sensed by the light sensor is greater than or equal to a first predetermined threshold amount but less than a second predetermined threshold amount that is higher than said first predetermined amount [col. 5 lines 35-45, 60-62].

20. As per claim 4, Ishihara discloses the controller signals said power circuitry module to power off said backlight when an amount of the light sensed by light sensor is greater than second predetermined threshold amount [col. 5 lines 60-62].

21. As per claim 9, Ishihara discloses a power saving management device comprising:

a controller [15];

a pressure sensor [19] in communication with said controller for providing status of whether or not light is sensed by the sensor [22]; and

a power circuitry module [not show] in communication with the controller and with at least one of predetermined non-essential circuitry [20] and a display [13],

wherein the controller signals said power circuitry module to power on at least one of said predetermined non-essential circuitry and said display when an amount of pressured sensed by the pressure sensor reaches a first predetermined threshold pressure amount [col. 2 lines 7-19; claim 1, 6].

22. As per claim 10, Ishihara discloses a base;

Two sides arranged at a substantially perpendicular angle to the base;

Wherein the pressure sensor [19] is arranged against one of the two sides at a location wherein a user is likely to grip the device; and

Wherein the pressure sensor is adapted for detecting a change in pressure against at least one of the two sides when gripped by a user [fig. 2A, 2B].



23. As per claim 11, Ishihara discloses a plurality of sensors arranged substantially along the two sides of the device [fig. 2A].

24. As per claim 16, Ishihara discloses a face arranged opposite to said base and substantially perpendicular to the two sides, and wherein the display [13] is arranged therein [fig. 2A].

***Claim Rejections - 35 USC § 103***

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

27. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer as applied to claim 1 above, and further in view of Kawamura EP 1 085 731.

28. As per claim 7, Bauer teaches power off the display if it is determined that the device is not in use for a predetermined amount of time subsequent to the light sensed dropping below said

first predetermined threshold amount [col. 2 lines 20-28]. Bauer does not teach the controller determines whether a device is still in use when an amount of light sensed by the light sensor goes below the first predetermined threshold.

Kawamura teaches another power saving management device. Specifically, Kawamura teach the controller determines whether a device is still in use when an amount of light sensed by the light sensor goes below the first predetermined threshold [paragraph 0025].

At the time of the invention was made, it would have been obvious to one of ordinary skill in the art to have modified the system of Bauer with the method taught by Kawamura. The motivation for doing so would have been to avoid unnecessary power consumption of a power source [paragraph 0024].

29. As per claim 8, Bauer inherently teaches the controller determines whether a device is still in use regardless of whether or not when an amount of light sensed by the light sensor goes below the first predetermined threshold [motion sensor], and the controller signals the power circuitry module to power off the display if it is determined that the device is not is use for a predetermined amount of time [col. 2 lines 23-29].

30. Claims 12-15, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishihara as applied to claim 9 and 10 above.

31. As per claim 12-15, Ishihara does not explicitly teach the specific claimed features. However, it is obvious to one of ordinary skill in the art that these claimed features are merely design consideration.

32. As per claim 17, Ishihara teaches a sensor arranged on a face of the device [19], said sensor being in communication with said controller [15] and an output of said sensor [22] and an output of said pressure sensor [19] being respectively connected to inputs of a logic AND gate [designer choice], so that the controller signals said power circuitry module to power on said display only when both an output sensed by the sensor and an output of pressure sensed by said pressure sensor is greater than or equal to their respective first predetermined threshold amounts [col. 5 lines 35-45].

#### ***Allowable Subject Matter***

33. Claims 18, 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

##### **Examiner's note:**

Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially

teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**Prior Art not relied upon:**

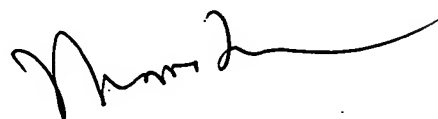
Please refer to the references listed in attached PTO-892, which, are not relied upon for claim rejection since these references are relevant to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent T. Tran whose telephone number is (571) 272-7210. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas c. Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vincent Tran



7/26/2012 11:11  
SUBMITTED TO THE EXAMINER  
TECHNOLOGY CENTER